



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

OCT 2 2001

DOT-E 12552
(FIRST REVISION)

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| EXPIRATION DATE: December 31, 2002 |
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(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Illbruck Sealant Systems, Inc.
Minneapolis, MN
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the manufacture, marking, sale and use of certain DOT 2Q specification, non-refillable, aerosol containers filled with a propellant gas and a non-hazardous material as specified herein for transportation in commerce. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.306(a)(3)(v) in that each container will be tested as specified herein in lieu of the required water bath test.

5. BASIS: This exemption is based on the application of Illbruck Sealant Systems, Inc. dated March 30, 2001, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

| Proper Shipping Name/ Hazardous Materials Description | Hazard Class/ Division | Identi- fication Number | Packing Group |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------|------------------|
| Aerosols, flammable, (each not exceeding 1 L capacity) /Compressed gas consisting of a solution of a non-hazardous material mixture (polyurethane foam) and compressed gases. | 2.1 | UN1950 | N/A |
| Consumer commodity, as appropriate | ORM-D | N/A | N/A |

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are non-refillable, DOT Specification 2Q inside containers manufactured from seamless aluminum or tin plate as described in Illbruck Sealant System applications on file with the Office of Hazardous Materials Exemptions and Approvals (OHMEA). The seamless aluminum containers must be in conformance with Cebal Entec, S.A. drawings and FEA Standard 220 and the tin plate containers must be in accordance with US Can Europe drawings and FEA Standard 214-E on file with OHMEA

b. TESTING:

(1) One completed container out of every lot produced must be pressure tested to destruction and may not burst below 18.6 Bar (270 psig). The tested container must be complete with the ends assembled. If the test container fails the burst test, the lot must be rejected. However, an additional five randomly selected containers may be burst tested to qualify that lot. If any of the additional test containers fail the burst test, that lot must be rejected.

(2) The pressure in each completed container as prepared for shipment must be raised until it is equivalent to the equilibrium pressure of the lading at 40°C (105°F). Acceptable containers must show no evidence of leakage, distortion, or other defect.

(3) One container out of each lot of 2,000 containers filled must be heated until the pressure in the container is equivalent to the equilibrium pressure of the lading at 55°C (131°F). Acceptable containers must show no evidence of leakage, distortion or other defect. Additionally, if the pressure in the container exceeds 12.4 bar (180 psig) at 55°C (131°F), the entire lot must be rejected.

c. OPERATIONAL CONTROLS:

(1) Filling Conditions -

(a) The container may not be liquid full at any temperature up to and including 55°C (131°F).

(b) The pressure in the container may not exceed the following:

(i) 8.8 bar (130 psig) at 40°C (105°F);

(ii) 12 bar (174 psig) at 50°C (122°F); and

(iii) 12.4 bar (180 psig) at 55°C (131°F).

(2) Each container must be packed in strong outside packagings as prescribed in § 173.301(k).

(3) Each outside packaging must be marked "INSIDE CONTAINERS CONFORM WITH DOT-E 12552".

(4) Each package may not exceed 66 pounds gross weight.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

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b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. Each container must be marked "DOT-E 12552" as specified in § 172.301(c).

d. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.

e. Prescribed packages which meet the § 171.8 definition of "Consumer commodity" may be shipped in accordance with § 173.306(h).

f. Test data obtained under paragraph 7.b. of this exemption, must be kept on file and be made available upon request by the OHMEA. Additionally, the following information must be submitted to OHMEA:

(1) Burst test results for the first 20 lots tested under paragraph 7.b. of this exemption.

(2) Lading temperature and pressure test data for the first 20 lots to verify that the pressure in the container is equivalent to the equilibrium pressure of the contents at 55°C (131°F) without evidence of leakage, distortion, or other defect and that the pressure in the container does not exceed 12.4 bar (180 psig) at 55°C (131°F) as specified in paragraph 7.c.(1)(b)(iii) of this exemption.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, and cargo vessel.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:



Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

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The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, Washington, DC 20590-0001, Attention: Docket Section, 202-366-5046.

PO: SSTANISZEWSKI/CHHOCHMAN